

Thank you Senator Beebe-Center, Representative Salisbury, and members of the Criminal Justice and Public Safety Committee for allowing me to speak today. Thank you Madam Speaker for presenting this bill. I am Judi Richardson of South Portland, mother of Darien Richardson.

I am here with my husband Wayne to speak for our daughter and the other victims of gun violence who are unable to speak for themselves. My husband is an avid hunter and we are gun owners. I am here to testify in favor of LD 168, "An Act Regarding Criminal Background Checks for the Sale, Transfer or Exchange of Firearms".

Currently, Maine has no law requiring a criminal background check on the purchaser of a firearm when the seller is not a licensed dealer. Maine does not require private sellers (sellers who are not licensed dealers) to initiate a background check when transferring a firearm. We know all too well that Mainers are not immune to the harms of gun violence. We must open our eyes and our minds to the reality of this public health epidemic and ask are we doing enough to protect our children and all our citizens from preventable death and life altering injury. Gun violence is now the leading cause of death of children and teens in the US. The easy access to guns and lack of accountability is causing a heartache in this country that is impossible to put into words.

Our Darien was beautiful inside and out, with a bright smile that drew people to her. Her life was marked by compassion and generosity. Born, raised and educated in Maine she chose to stay and build a life and career in Maine – isn't that what we all want for our children? She was a 2006 graduate of Bowdoin College who valued education. She was a kind, honest and productive member of society. She was also a social butterfly who loved music and loved to dance. Darien left the world and those she encountered better in her wake. She is loved and sorely missed.

Over 13 years ago January 8, 2010, at 1:30 am our beloved 25-year-old daughter, Darien's home was invaded by armed intruders, who burst into her bedroom and started shooting then ran away. Her entire life was turned upside down in a matter of seconds. One bullet hit her left hand, shredding her thumb and then as she tried to roll off her bed, another bullet entered her right leg at the knee traveled the length of her thigh and lodged in her hip — her pain physically and psychologically was unimaginable. That night, she survived — a miracle by any standard. She spent weeks in Maine Medical Center critical care, and faced a grueling future of physical and emotional pain ahead of her. Tragically, that never happened. On February 28, 2010 Darien died from complications of her gunshot wounds. Darien's death devastated me, our family, friends and community.

To compound this tragedy, Darien's homicide has never been solved. This is due, in part, to a dangerous loophole in the law that those who purchase a firearm through an unlicensed private sale do not need to pass a criminal background check. Darien was murdered with a .45 caliber semi-automatic handgun. We know because that gun was later recovered, at the scene of another murder on February 11, 2010. The bullet from Darien's hip after her death was turned over to the police and ballistics confirmed it came from that gun. The gun was traced to a Maine resident who bought the gun at a retail establishment, **where he was required to undergo a background check**. But soon thereafter, he sold it in a private sale at a gun show to someone he didn't know. Just an exchange of cash for a gun. The seller asked no questions, kept no records and states he can't remember who he sold the weapon to or when he sold it, thereby preventing any further

tracing of the weapon which may identify our daughter's killer. Thirteen years have passed and the identity of our daughter's killer remains unknown. We believe that holding private sellers to the same standard as gun shops and licensed dealers for background checks and records keeping would make it possible to track a gun from one owner to another – which would have been crucial in solving our daughter's homicide. I don't know if the person who killed my daughter would have passed a background, he never had to. I do know that person is getting away with murder. That is a public safety issue concern as there is an unidentified killer out there. We are re-victimized by not knowing who did this and never having the opportunity to get justice for Darien.

Background check authorities regularly stop prohibited purchases from making illegal gun purchases in Maine, yet we have not closed the unlicensed private sale loophole. That means criminals, domestic abusers and other prohibited people prohibited from owning guns can and routinely do take advantage of a thriving market for unlicensed sales. In fact, criminals and drug dealers from states with strict gun laws do come to Maine to buy guns via private sale. In 2015 Maine passed a reckless permit-less carry law that enables residents to carry loaded, concealed handguns in public without a permit or background check. Maine's lack of basic gun safety laws puts its residents at grave risk and our lawmakers owe it to their communities to stand up to this public health crisis. We must recognize the many people who are wounded by guns and bullets and have life-long physical and psychological complications. Let's not forget about the financial cost. Gun deaths and injuries cost Maine **\$2.3 billion each year, of which \$17.3 million is paid by taxpayers.**

Contrary to what you may hear from the gun lobby, requiring criminal background checks - *already done by licensed sellers* - does not affect law-abiding citizens in any way and does not violate the Second Amendment. We can save lives, reduce harm and reduce crime without infringing on the constitutional right to own a gun.

Our state and our nation is shocked and saddened with the shootings in schools, theaters, malls, churches and our streets – but my family has known for 13 years that you are not even safe in your own bedroom. Once a bullet is fired there is nothing you can do to stop it, you can't take it back. Gun homicides, suicides, unintentional shootings of children, unsecured "accidents" police shootings, domestic gun violence shootings all leave behind the same pain as the mass shootings that are more likely to make the news. Every single shooting and death by gun is the most devastating to the victim and their family.

Maya Angelo once said "Do the best you can until you know better. Then when you know better, do better." That time is now. It may be too late for us, we can't have Darien back, but it's not too late to prevent more tragedies. Please support the LD 168 and vote "Ought to Pass". You can make a positive change.

Thank you.

Judi & Wayne Richardson

184 Fellows Street

South Portland, ME 04106

www.rememberingdarien.org